



IN THE U.S. PATENT AND TRADEMARK OFFICE

Re application of :  
Yan Wang et al. : Examiner: Cho, Hong Sol  
Filed: Herewith : Group Art: 2619  
Serial No. 10/702,217  
Filed: February 17, 2004 :  
For: ADAPTIVE SPREADING FACTOR BASED ON POWER CONTROL

TRANSMITTAL OF RESUBMISSION OF PREVIOUSLY SUBMITTED  
RESPONSE TO NON-FINAL OFFICE ACTION DATED APRIL 8, 2008

Director for Patents  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Arlington, VA 22313-1450

Sir:

This communication is an explanation and resubmission of our submission dated and filed on June 23, 2008 which was a response to the Non-final Office Action dated April 8, 2008.

**\*\*\*If any fee and/or extension is required in addition to any enclosed herewith, please charge Account No. 23-0442.**

**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))**

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**

- ☒ Deposited with the United States Postal Service with sufficient postage as first class Mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

**FACSIMILE**

- ☐ Transmitted by facsimile to the U.S. Patent and Trademark Office.

**Signed and Filed**

Date:

Oct. 15, 2008

Mariellen Chapdelaine  
(type or print name of person certifying)

Mariellen Chapdelaine


On October 14, 2008 the Examiner, Hong Cho, phoned our office to inform us that no response had been received by the USPTO to the Non-Final Office Action dated April 8, 2008. In reviewing the situation, we noted that our filed response has not been entered into the PAIR system in addition to not having been received by the Examiner. We concluded that it has been lost in the USPTO since the receipt postcard was returned to us. On October 15, 2008, we phoned the examiner's supervisor, Wing Chan, to ask for advice on the correct manner to resubmit the lost paperwork. He instructed us to resubmit copies of the original paperwork and the stamped return receipt postcard along with a letter of explanation.

We are therein resubmitting the above listed items for consideration. Included are:

1. a copy of the originally mailed "Further Request For Reconsideration" dated June 23, 2008.
2. a copy of stamped return receipt postcard which was returned to the addressee.

Respectfully submitted,

Date: Oct. 15, 2008

  
Anatoly Frenkel  
Registration No. 54,106

WARE, FRESSOLA, VAN DER SLUYS  
& ADOLPHSON LLP  
755 Main Street, PO Box 224  
Monroe CT 06468  
(203) 261-1234



Applicant: Yan Wang

For: ADAPTIVE SPREADING FACTOR BASED ON POWER CONTROL

Serial No. / Patent No. 10/702, 217

Filed/Issued: 2/17/04

The following papers were received in the U.S. Patent and Trademark Office:

|  |  |
|--|--|
| <input type="checkbox"/> RCE                                       | <input type="checkbox"/> Issue Fee Transmittal                 |
| <input type="checkbox"/> Amendment Transmittal                     | <input type="checkbox"/> Transmittal of Formal Drawings        |
| <input checked="" type="checkbox"/> Amendment and/or Response      | <input type="checkbox"/> Submission of Proposed Drawing Amend. |
| <input type="checkbox"/> Comp. of Filing Requirements Transmittal  | <input type="checkbox"/> Drawings - No. of Sheets <u>4</u>     |
| <input type="checkbox"/> Copy of Notice of Missing Parts           | <input type="checkbox"/> Fee: <u>400</u> Enclosed              |
| <input type="checkbox"/> Decl. and Power of Atty.                  | <input type="checkbox"/> Info. Disclosure Statement            |
| <input type="checkbox"/> Assignment w/Cover Sheet                  | <input type="checkbox"/> Form PTO-1449 w/References            |
| <input type="checkbox"/> Cert. Copy of Priority Doc. w/transmittal | <input type="checkbox"/> Req. for Certificate of Correction w/ |
| <input type="checkbox"/> Maintenance Fee Transmittal               | <input type="checkbox"/> PTO/SB/44 in duplicate                |

Express Mail No.

Attorney: AZF

Date Mailed: 6/23/08 Docket No. 944-003-103-2

Please date stamp and return

RECEIVED  
WARE, FRIEDSOL, VAN DER SLUYS  
& ASSOCIATES

JUN 30 2008

FILE 944-003-103-2  
ANS'D AZF



Attorney Docket No. 944-003.103-2

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FURTHER REQUEST FOR RECONSIDERATION

Director for Patents  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Arlington, VA 22313-1450

Sir:

In response to Non-final Office Action of April 8, 2008, the applicant responds as follows

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Date: June 23, 2008

Mariellen Chandelaine  
(type or print name of person certifying)